

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

**MICHELLE DAY, ADMINISTRATOR
OF THE ESTATE OF JAMES AVERY
DEWEESE, SR. AND ON BEHALF OF
THE WRONGFUL DEATH BENEFICIARIES
OF JAMES AVERY DEWEESE, SR;
RUTH DEWEESE, INDIVIDUALLY; and
MICHELLE DAY, INDIVIDUALLY**

PLAINTIFFS

V.

Case No. 4:14-CV-0342 KGB

UNITED STATES OF AMERICA

DEFENDANT

STIPULATION

Come the Plaintiff, Michelle Day, Administrator of the Estate of James Avery Deweese, Sr., and Defendant, the United States of America, and make the following stipulations in the above referenced case:

1. The parties stipulate that a mistake was made by the Defendant in failing to visualize a liver mass on an October 31, 2011 computerized tomography scan of James Deweese, Sr., and that this fell below the standard of care applicable to it.
2. The Defendant, the United States of America, does not admit that the failure to visualize a liver mass on an October 31, 2011 proximately caused an injury or death that would not have otherwise occurred.
3. The United States of America does not admit liability in this case.

4. The Plaintiff's Motion for Summary Judgment (Document No. 22) is moot, and, therefore withdrawn by the Plaintiff.

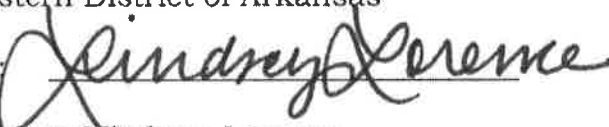
Dated this 10 day of March, 2016.



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